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SUBJECT: NIGERIA: ECOWAS AND INTERNATIONAL RED CROSS
SPONSOR SALW CONFERENCE

REF: ABUJA 503

11. (SBU) SUMMARY: From October 27-29, ECOWAS and the International Committee of the Red Cross (ICRC) co-sponsored a seminar on international humanitarian law treaties in West Africa entitled "Even War Has Limits." Poloff attended the October 29 session, which was open to observers from foreign missions, and which dealt primarily with the implications of small arms/light weapons (SALW) control efforts for the region. With the first speaker giving a basic explanation of the ECOWAS Small Arms Convention and a subsequent speaker offering presentations on "The Explosive Remnants of War" and "The Convention on Cluster Munitions," the event provided an interesting look at efforts within ECOWAS to encourage member states to ratify the SALW protocol, as well as to muster support for the Convention on Cluster Munitions to be signed in Oslo on December 3, 2008. Attendees included representatives from every member state, the chairman of Nigeria's National Committee on Small Arms and Light Weapons Air Commodore Danjuma Otaru, and key Commission for Political Affairs, Peace, and Security (CPAPS) officials. The event was deemed a success and showed ECOWAS's maturity as a regional organization and its determination to strengthen the civil aspects of regional security, beyond the standing up of the ECOWAS Standby Force (ESF). END SUMMARY.

12. (U) The October 29 portion of the ECOWAS-ICRC Seminar on International Humanitarian Law Treaties in West Africa, "Even War Has Limits," dealt with several SALW topics as they pertained to ECOWAS member states. The first presentation, "Ratification and Implementation of Small Arms Convention in West Africa," was led by Dr. Cyriaque Agenekethom, head of ECOWAS's Small Arms and Light Weapons Unit in CPAPS. Dr. Agenekethom first covered the basic goals of ECOWAS's Small Arms Convention, which included the creation of a legal framework to strengthen SALW control; the consolidation of the gains of the 1998 Moratorium on the import, export, and manufacture of SALW; and continued assistance to member states in efforts to regulate the flow of SALW into and out of their borders. He also spoke on several specific Convention articles that dealt with the matter, especially Articles 4-6, which set out the parameters of how member states request an exemption from the Convention. Six states have already ratified the Convention -- Niger, Burkina Faso, Liberia, Mali, Senegal, and Togo -- and only two more member nations need to do so to bring the Convention into force.

Attendees at the conference made a strong plea for the remaining nine countries to ratify the convention. (Note: Air Commodore Otaru reports that the Convention is currently in President Yar'Adua's hands, though it has been there for some time; he hopes it will be ratified in Nigeria in the near future. End note.)

¶3. (U) Peter Herby, head of the ICRC's Legal Division's Arms Unit, spoke on "The Explosive Remnants of War," highlighting the devastating effects of unexploded ordnance on societies emerging from conflict. He claimed that "mines, cluster munitions, and explosive remnants are all weapons which can't stop killing" due to their failure rate and the fact that they may remain in place for decades after peace is declared; furthermore he claimed the problem is worsening due to ever more efficient ways of delivering larger quantities of ordnance. He specifically singled out the 1997 Ottawa Mine Ban Treaty, which banned anti-personnel mines, as a tremendous step forward in SALW control, and also mentioned the 2003 Protocol on the Explosive Remnants of War as especially effective, inasmuch as it assigns responsibility for ordnance clean-up in post-conflict regions.

¶4. (U) Herby started his second lecture, entitled "Convention on Cluster Munitions," by showing a 16-minute presentation on the difficulties faced by civilians in areas where cluster bombs have been dropped, particularly in southern Lebanon, where both sides used cluster munitions during the 2006 fighting between Hezbollah and Israel. He described the key sticking points during the negotiations surrounding the May 2008 adoption of the text of the

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Convention on Cluster Munitions in Dublin, including the adoption of a legal definition of cluster munitions and the conduct of joint operations with non-Convention states. He also gave tips on how to defeat the argument that cluster munitions can be a military necessity. The rest of the session was spent urging member states to sign the Convention in Oslo, with one ECOWAS official encouraging member states to "shame the world" by portraying themselves as the victims of these weapons. (Note: The only known use of cluster munitions in West Africa was by Nigeria in Sierra Leone in ¶1997. End note.)

¶5. (SBU) COMMENT: U.S. opposition to the Cluster Munitions Convention was addressed only tangentially during the conference, but later Herby told Poloff he had recently visited with PM officers in the Department to discuss possible avenues of cooperation between the U.S. and campaigners. Pleas to support the ban are falling on fertile soil in West Africa, as signing the convention will cost ECOWAS nations nothing and will in return gain them international goodwill.

¶6. (SBU) COMMENT CONT'D: This event showcases ECOWAS's increasing maturity and ability to coordinate with other interested parties in order to reach its goals -- ICRC Regional Delegate Jacques Villettaz noted that this conference, the first of its kind, could not have taken place a few years ago given ECOWAS's state of development then. It also shows its effectiveness in building up the civilian aspects of its conflict prevention and resolution capabilities, which have remained stunted relative to its efforts in standing up the ESF (reftel). But the real work remains: the signing of international unexploded ordnance and cluster munitions treaties are mostly feel-good measures in a region devastated by SALW proliferation -- which continues largely unabated via corrupt officials and the region's porous borders. END COMMENT.

¶7. (U) This cable coordinated with Consulate Lagos. Sanders